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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE SUNPOWER SECURITIES  
LITIGATION

Case No. CV 09-5473-RS (JSC)  
(Consolidated)

**CLASS ACTION**

**STIPULATION AND ~~[PROPOSED]~~  
ORDER CONTINUING THE DEADLINE  
FOR THE PARTIES' JOINT  
DISCOVERY LETTER**

1 WHEREAS, on August 30, 2012, Plaintiffs filed a Motion to Compel Production of  
2 Documents Responsive to First Set of Document Requests (the "Motion") (Docket No. 207);

3 WHEREAS, on September 20, 2012, the Court issued an Order denying the Motion  
4 without prejudice and ordering the parties to meet and confer in person by September 27, 2012  
5 regarding the disputed issues in the Motion (the "Disputed Issues") and, if unable to resolve  
6 these matters through the meet and confer process, to file a joint discovery letter on or before  
7 October 9, 2012 (Docket No. 221 at 10-11);

8 WHEREAS, the parties met and conferred in person on September 25, 2012 to  
9 meaningfully discuss the Disputed Issues and the Court's guidance (*see* Declaration of Erik D.  
10 Peterson in Support of the Stipulation and [Proposed] Order Continuing the Date for a Joint  
11 Discovery Letter);

12 WHEREAS, the parties continued the meet and confer process in person on October 2,  
13 2012 for approximately two hours;

14 WHEREAS, the parties have scheduled another in-person meeting to discuss the  
15 Disputed Issues on October 5, 2012;

16 WHEREAS, through the ongoing meet and confer process and using the Court's  
17 guidance, the parties have made progress on certain of the Disputed Issues and are continuing  
18 to exchange additional proposals and information to resolve the outstanding issues;

19 WHEREAS, the parties believe that additional time will allow them to continue to  
20 resolve and/or narrow the Disputed Issues and thus conserve both judicial and party resources;

21 IT IS HEREBY STIPULATED AND AGREED, pursuant to Civil Local Rule 7-12,  
22 among the undersigned parties that the October 9, 2012 deadline for filing a joint discovery  
23 letter is hereby continued; if the parties are unable to completely resolve the remaining  
24 Disputed Issues through the ongoing meet and confer process, the deadline to file a joint  
25 discovery letter in accordance with the Court's September 20, 2012 Order and its Standing  
26 Order shall be October 23, 2012.

1 Dated: October 3, 2012

Respectfully submitted,

2 KESSLER TOPAZ MELTZER  
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4 /s/ Eli R. Greenstein  
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**ATTESTATION UNDER CIVIL LOCAL RULE 5-1(i)**

I, Erik D. Peterson, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Continuing the Deadline for the Parties' Joint Discovery Letter. In compliance with Civil Local Rule 5-1(i), I attest that Eli R. Greenstein, Benjamin Galdston, Laurence King and Craig Martin have concurred in this filing.

Dated: October 3, 2012

/s/ Erik D. Peterson

ERIK D. PETERSON

**~~[PROPOSED]~~ ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: \_ October 3 \_\_\_\_, 2012

Jacqueline S. Corley  
HONORABLE JACQUELINE SCOTT CORLEY  
UNITED STATES MAGISTRATE JUDGE

**CERTIFICATE OF SERVICE**

I hereby certify that on October 3, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 3, 2012.

/s/ Erik D. Peterson  
ERIK D. PETERSON

## Mailing Information for a Case 3:09-cv-05473-RS

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